


Basic information	
2008/2078(IMM) IMM - Members' immunity	Procedure completed
Request for waiver of the immunity of Witold Tomczak Subject 8.40.01.03 Members' immunity	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs	WALLIS Diana (ALDE)	26/03/2008

Key events			
Date	Event	Reference	Summary
25/06/2008	Vote in committee		Summary
27/06/2008	Committee report tabled for plenary	A6-0277/2008	
08/07/2008	Decision by Parliament	T6-0326/2008	Summary
08/07/2008	Results of vote in Parliament		
08/07/2008	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2078(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/60735

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A6-0277/2008	27/06/2008	

Text adopted by Parliament, single reading	T6-0326/2008	08/07/2008	Summary
--	--------------	------------	-------------------------

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for waiver of the immunity of Witold Tomczak

2008/2078(IMM) - 08/07/2008 - Text adopted by Parliament, single reading

The European Parliament adopted by 638 votes to 17, with 21 abstentions, a resolution on the request for waiver of the immunity of Witold **TOMCZAK** (ID, PL).

The report had been tabled for consideration in plenary by Diana **WALLIS** (ALDE, UK), on behalf of the Committee on Legal Affairs.

To recall, Mr Tomczak is charged with causing damage valued at up to 39 669 PLN (approximately 11 500 EUR) to a sculpture titled "The Ninth Hour" – depicting Pope John Paul II crushed by a stone – in the Zachęta Gallery in Warsaw in 2000. He claims that his action sought to defend his and other people's religious feelings, as well as to protect the dignity of the Pope. Moreover, he considers that his behaviour was aimed at protecting a higher value - that of the Pope's honour in the eyes of Polish Catholics. He also contests the amount of the damage he allegedly caused.

Given that Mr Tomczak was elected to the European Parliament on 13 June 2004 (well after the events), the Parliament considers that he was not protected by parliamentary immunity and considers that, on the basis of the information obtained, he is not protected by parliamentary immunity in respect of any of the allegations.

Therefore, the European Parliament has decided to waive the immunity of Witold **TOMCZAK**.